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# HOUSE BILL No. 1208

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-12-19.9.

**Synopsis:** Tuition and fee remission for veterans. Exempts certain veterans from all tuition and fees at state educational institutions. Makes an appropriation.

**Effective:** July 1, 2007.

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January 11, 2007, read first time and referred to Committee on Ways and Means.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1208

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-12-19.9 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2007]:

4 **Chapter 19.9. Tuition Exemption for Veterans**

5 **Sec. 1. As used in this section, "active duty" means full-time**  
6 **service in the armed forces of the United States for at least thirty**  
7 **(30) consecutive days.**

8 **Sec. 2. As used in this section "armed forces of the United**  
9 **States" has the meaning set forth in IC 5-9-4-3.**

10 **Sec. 3. As used in this chapter, "commission" refers to the**  
11 **veterans affairs commission established by IC 10-17-1-3.**

12 **Sec. 4. As used in this chapter, "National Guard" has the**  
13 **meaning set forth in IC 5-9-4-4.**

14 **Sec. 5. As used in this chapter, "state educational institution"**  
15 **has the meaning set forth in IC 20-12-0.5-1.**

16 **Sec. 6. An individual who:**

17 **(1) lists Indiana as the individual's state of residence when the**

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individual enlists in the armed forces of the United States or the National Guard;

(2) either:

(A) suffers at any time a service connected disability as determined by the United States Department of Veterans Affairs or the United States Department of Defense; or

(B) serves on active duty:

(i) after September 10, 2001; and

(ii) before a date to be set by presidential proclamation or federal law as the conclusion of the war on terror described in the presidential address to a joint session of Congress on September 20, 2001;

(3) receives any discharge or separation from the armed forces of the United States or the National Guard other than a dishonorable discharge;

(4) is eligible to pay the resident tuition rate (as determined by the institution) at the state educational institution the person will attend; and

(5) possesses the requisite academic qualifications for enrollment in the state educational institution the person will attend;

is exempt from the payment of tuition and mandatory fees for one hundred twenty-four (124) semester credit hours at the state educational institution in which the individual is enrolled or will enroll.

Sec. 7. If an individual who qualifies for or is receiving the tuition exemption under section 6 of this chapter receives financial assistance from:

(1) a program under federal law;

(2) other tuition exemptions under IC 20-12-19 through IC 20-12-19.7;

(3) the National Guard tuition supplement program under IC 20-12-74; or

(4) any other source, including private sources;

that is specifically designated for tuition and mandatory fees at the state educational institution, the state educational institution shall deduct the amount of the financial assistance specifically designated for tuition and mandatory fees from the amount of the individual's tuition exemption under section 6 of this chapter.

Sec. 8. If an individual who qualifies for or is receiving the tuition exemption under section 6 of this chapter earns or is awarded a cash scholarship from any source that is paid or payable

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1 to the state educational institution in which the individual is  
 2 enrolled or will enroll, the state educational institution shall credit  
 3 the amount of the cash scholarship to the individual for the  
 4 payment of incidental expenses incurred by the individual in  
 5 attending the state educational institution, with the balance, if any,  
 6 of the award, if the terms of the scholarship permit, paid to the  
 7 individual.

8 Sec. 9. (a) The commission shall determine whether an  
 9 individual is eligible for the tuition exemption under section 6 of  
 10 this chapter.

11 (b) An applicant for the tuition exemption shall make a written  
 12 request to the commission for a determination of the individual's  
 13 eligibility.

14 (c) The commission shall make a written determination of an  
 15 applicant's eligibility in response to a request under subsection (b).

16 (d) An applicant may appeal in writing an adverse  
 17 determination under subsection (c) not more than fifteen (15)  
 18 business days after the date the applicant receives the  
 19 determination.

20 (e) The commission shall issue a final order not more than  
 21 fifteen (15) business days after the commission receives a written  
 22 appeal under subsection (d).

23 Sec. 10. A person who knowingly or intentionally submits a false  
 24 or misleading application or other document under this section  
 25 commits a Class A misdemeanor.

26 Sec. 11. There is annually appropriated from the state general  
 27 fund to the commission an amount sufficient to carry out the  
 28 purposes of this chapter.

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